

**Ordinance Permitting Increased Density
in the Central Business (BC) Zone**

WHEREAS the continued interest in commercial development opportunities within West Hartford Center has caused the Town to reevaluate current ordinance limitations; and

WHEREAS the desire for grand list growth within West Hartford Center must be balanced against the need to avoid expansion of the commercial center outward into residential neighborhoods; and

WHEREAS there is a particular benefit to encouraging further residential development within West Hartford Center in order to ensure continued year-round vibrancy and pedestrian activity within that area; and

WHEREAS limited increases in the permitted density of development within the BC zone may promote development of sites which are currently underutilized but efforts should be made to avoid triggering the demolition of valued existing buildings which help make up the character of West Hartford Center

NOW THEREFORE BE IT ORDAINED BY THE TOWN COUNCIL OF WEST HARTFORD THAT section 177-16.6 of the West Hartford Code of Ordinances is hereby repealed and the following is substituted in lieu thereof:

§177-16.6 Alteration of Standards in BC and CBDH Zones

- A. The Town Council of West Hartford, through adoption of the Plan of Development, [finds that areas zoned CBDH are characterized by physically and economically underutilized properties from the perspective of a suburban central business area and that these areas are also appropriate for residential development. It further]finds that areas zoned BC and CBDH are conducive to expanded building intensity use if the impact on the Town's infrastructure, traffic circulation and parking, residential neighborhoods and community facilities is addressed satisfactorily. Accordingly, within the BC and CBDH zones, the height of buildings, maximum lot coverage of all buildings and floor area ratio may be increased as follows, provided that the requirements of subsection B are met:[the height of buildings may be increased to six stories, the maximum lot coverage of all buildings may be increased to that area remaining after provisions for yard requirements and parking are met (unless said parking and/or yard requirements are waived by the Town Council) and the floor area ratio may be increased to 4.00 upon application to the Town Council for a special development district, provided that the following criteria, in addition to the criteria of § 177-44, are met:

- A. The Town Council must find that adequate parking exists to meet the needs of the proposed development.
- B. The Town Council must find that adequate street capacity exists on Raymond Road and on adjacent streets to accommodate the traffic projected to result from any increased intensity of use above that allowed as of right.
- C. The Town Council must find that appropriate pedestrian amenities, such as but not limited to park benches and pedestrian walkways, are provided.]

<u>District</u>	<u>Maximum Floor Area Ratio</u>	<u>Maximum Lot Coverage of all Buildings</u>	<u>Maximum Height of Main Buildings</u>	
			<u>Stories</u>	<u>Feet</u>
<u>BC</u>	<u>1.75</u>	<u>That area remaining after provisions for yard requirements and parking are met (unless said parking and/or yard requirements are waived by the Town Council).</u>	<u>5</u>	<u>No limit</u>
<u>CBDH</u>	<u>4.00</u>		<u>6</u>	<u>No limit</u>

- B. The alterations in standards set forth in subsection A shall be available upon application to the Town Council for approval of a special development district plan and further provided that the following criteria are met in addition to the criteria of § 177-44:
 - (1) The Town Council must find that adequate parking exists to meet the needs of the proposed development.
 - (2) The Town Council must find that adequate street capacity exists on adjacent streets to accommodate the traffic projected to result from any increased intensity of use above that allowed as of right.
 - (3) The Town Council must find that appropriate bicycle and pedestrian amenities, such as but not limited to bicycle storage and/or parking, park benches and pedestrian walkways, are provided.
 - (4) Within the BC zone, maximum floor area ratio may be increased from 1.25 up to

1.75 if the floors above the ground floor are used for residential purposes.

- (5) Within the BC zone, maximum building height for buildings containing residential units on upper floors may be increased from three (3) stories up to five (5) stories provided that if the ground level building façade is adjacent to a public street right of way, the corresponding 5th story façade shall be set back at least fifteen (15) feet from the façade of the story directly below. The Town Council may waive this setback requirement in situations where the building otherwise incorporates alternative architectural design features which adequately mitigate the impacts of building height and mass upon users of the public streets below.
- (6) Within the BC zone, the area of a private parking garage which provides dedicated parking spaces for the use of residential tenants, commercial tenants and their patrons/guests shall not be included in the calculation of maximum floor area ratio provided that all sides of said garage are enclosed by landscaping, architectural screening, active commercial and/or residential tenant spaces excepting those portions which provide vehicular and pedestrian access thereto.

(Van Winkle)

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Approved as to form and legality

Joseph A. O'Brien, Corporation Counsel